

THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
756 BUSINESS MEETING
(PUBLIC SESSION) December 4, 2002

The Board Minutes of December 4, 2002, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of January 8, 2003. All requirements of the "Open Public Meetings Act" have been complied with according to N.J. 10:4-6.

The notice of the meeting has been mailed to the Newark Star Ledger, Camden Courier Post and the Trenton Times, and also notice has been posted on the Bulletin Board at the office of the Secretary of State, Trenton, New Jersey.

Meeting of December 4, 2002, was called to order at 9:00 A.M.

The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Joseph F. Cantalupo
Mr. Robert A. McCullough
Mrs. Gail Best
Mr. Mitchell R. Malec
Mrs. Pushpavati Amin
Mr. Thomas J. Demcsak

Mr. Frank A. Neary and Mrs. Connie Calisti were absent. Mr. Mitchell R. Malec arrived at 10:00 A.M.

Barbara A. Cook, Executive Director, was present from 9:00 A.M. until the close of the meeting.

Marian Fiore, Sr. Management Assistant, was present from 9:00 A.M. until the close of the meeting.

Kathleen Moran, Secretarial Assistant, III, was present from 9:00 A.M. until the close of the meeting.

Susan Carboni, Deputy Attorney General, Division of Law, was present 9:00 A.M. until the close of the meeting.

Also in attendance were Mr. Steven M. Ripley, Executive Director, New Jersey Electrical Contractors Association; Mr. Casey Hoff, New Jersey Electrical Contractors Association; and Mr. Kevin P. Heslin, License #10645 (Expired).

The Board saluted the flag.

Motion made by Mrs. Gail Best and seconded by Mr. Thomas J. Demcsak, and unanimously passed, to approve the Minutes of the 755 Meeting held November 6, 2002, with the following correction in Open Session.

Page 5, Paragraph 10:

Mr. McCullough stated that he advised the members of the Code Advisory Board that the Electrical Board had tabled the drafted language concerning the Home Owner's Exemption. Mr. McCullough also stated that several members of the Code Advisory Board commented that the language presented to the Electrical Board was insane.

Mr. McCullough stated that he was advised by Steven Ripley, Executive Director, New Jersey Electrical Contractors Association, that the Minutes of the 752 Meeting held August 7, 2002, reflect that a comment was received by the

National Electrical Contractors Association concerning the proposed language for the definition of premise wiring and service point. However, this is not correct. The comment was actually received by the New Jersey Electrical Contractors Association.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Thomas J. Demcsak, and unanimously passed, to approve (7) Initial Licenses effective December 4, 2002 to March 31, 2003.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (8) Initial Business Permits effective December 4, 2002 to March 31, 2003.

Note: An Initial Business Permit application was received from James F. Wilcox, License #12352, for Apex Custom Homes. Mr. Wilcox's application was held in abeyance pending receipt of additional information.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (1) Initial Business Permit Previously Expired effective December 4, 2002 to March 31, 2003.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (6) Changes in Business Permits effective December 4, 2002 to March 31, 2003.

Check in the amount of \$150.00 received from Neil Bolton, License #9590, as the fourteenth installment of a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:5A-9. Payments started October 17, 2001 and the balance due is \$150.00.

The Board accepted the payment.

Postal Money Order in the amount of \$200.00 received from Juan F. Vela, License #9471, as the second installment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9 and N.J.A.C. 13:31-1.10 (recodified as 13:31-3.3). Payments started September 3, 2002 and the balance due is \$1,200.00.

The Board accepted the payment.

Check in the amount of \$500.00 received from Jason Ronchi, License #12230, as the fourth installment of a civil penalty in the amount of \$6,162.00 for violation of N.J.S.A. 45:5A-9; N.J.A.C. 13:45C-1.2; and N.J.A.C. 13:31-1.10(c) (recodified as 13:31-3.3c). Payments started August 21, 2002 and the balance due is \$4,002.00.

The Board accepted the payment.

Check in the amount of \$1,100.00 received from Michael Brescia, License #9899, as the first installment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9. The balance due is \$400.00.

The Board accepted the payment.

Personal Money Orders in the amounts of \$500.00 and \$129.40 were received from Mark Wiggins, License #10860, as the sixth installment of a civil penalty in the amount of \$1,511.53 for violation of N.J.S.A. 45:5A-9. Payments started

December 3, 2001 and the balance due is \$235.13.

The Board accepted the payment.

Check in the amount of \$250.00 received from Russell Spitz, Unlicensed, President, Vision Power Systems, as the first and final installment of a civil penalty in the amount of \$250.00 for violation of N.J.S.A. 45:5A-9.

The Board accepted the payment.

Checks in the amount of \$100.00 each received from David M. Costabile, Unlicensed, as the third and fourth installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9. Payments started September 20, 2002 and the balance due is \$600.00.

The Board accepted the payment.

Check in the amount of \$403.70 received from Walter Kohlheim, License #9286, as the first installment of a civil penalty, plus costs, in the amount of \$3,503.70 for violation of N.J.S.A. 45:5A-17 and N.J.A.C. 13:31-1.8 (recodified as 13:31-3.2). The balance due is \$3,100.00.

The Board accepted the payment.

Postal Money Order in the amount of \$100.00 received from George Johnson, License #6651, as the eighth installment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9. Payments started April 19, 2002 and the balance due is \$700.00.

The Board accepted the payment.

Check in the amount of \$750.00 received from William Myers, Unlicensed, as the second and final installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9. Payments started October 19, 1998.

The Board accepted the payment.

Letter dated October 31, 2002, receive from Kevin P. Heslin requesting reinstatement of his license #10645 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Heslin stated that in 1997 he attended Chubb Institute full time for one year and earned a degree in Networking and Computer Support. Upon graduation, he was employed by EDS and was subcontracted to AT&T for installation of computer network systems and support.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Gail Best, and unanimously passed, that Mr. Heslin's license and business permit be conditionally approved. Mr. Heslin is to forward to the Board a copy of his 1996, 1999, and 2002 Continuing Education Code Course Certificates. Mr. Heslin is to also forward to the Board a copy of his degree issued by Chubb Institute. Upon receipt of same, Mr. Heslin will receive his 1997 to 2000 and 2000 to 2003 triennial renewal forms.

Letter dated November 12, 2002, received from Raymond P. Brandefine requesting reinstatement of his license #6898 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Brandefine stated that he did not renew his license due to chronic back problems which required surgery. Mr. Brandefine also stated that he has worked for Con Edison for thirty years in the facilities electrical installations group.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Brandefine advising him that his request is being denied at this time. The Board would like to know from Mr. Brandefine the date he stopped working for Con Edison due to his back problems. Mr. Brandefine will also be requested to return his pressure seal to the Board office or provide a notarized letter stating that his pressure seal remains in the possession of his ex-wife.

Letter dated November 20, 2002, received from Carl J. Swenson requesting reinstatement of his license #4309 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Pushpavati Amin, and unanimously passed, to reinstate Mr. Swenson's license #4309 with the payment of the proper fees.

In response to the Board's letter advising Charles Ranello that in order to regain his license #10663 he must take and pass the electrical contractor's examination, a letter dated November 19, 2002, was received from Mr. Ranello requesting that the Board allow him to reinstate his license without having to retake the examination.

Mr. Ranello also stated that he has been employed by Electric Light & Power, Inc., in New York since 1984 and has recently passed the New York City Master Electrician's License examination.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Ranello advising him that his request is denied. He must take and pass the electrical contractor's examination in order to regain his license #10663.

Letter dated September 18, 2002, received from David Finigan requesting reinstatement of his license #9979 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Finigan stated that he received a master electrician's license in the State of Colorado and was employed as a master electrician at the University of Colorado. Mr. Finigan also stated that he passed the examination for electrical inspector. Mr. Finigan further stated that he has been employed as an electrical engineer for Hughes Missile Systems from 1995 to the present time.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Gail Best, and unanimously passed, that a letter be sent to Mr. Finigan advising him that the Board has voted to renew his license #9979 with the payment of the proper fees and receipt of his 1996 and 1999 Continuing Education Code Course Certificates.

Letter dated December 2, 2002, received from Kathleen George requesting a six-month continuance of business under permit #6385 according to N.J.S.A. 45:5A-14. The licensee, Peter George, died on November 20, 2002.

Mrs. George stated that her brother-in-law, James T. George, is the foreman and has been working for her husband

since 1979.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Thomas J. Demcsak, and unanimously passed, that a letter be sent to James T. George advising him that the Board has granted the firm of Peter George Electrical Contractors, Inc. a six-month continuance of business permit #6385 according to N.J.S.A. 45:5A-14.

The Board reviewed the Fiscal Year 2002 Budget Report (final).

Memorandum dated November 6, 2002, received from Patrick J. Ryan requesting the Board's interpretation of the licensing requirement when installing a gas fired package rooftop air conditioner.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Thomas J. Demcsak, and unanimously passed, that a letter be sent to Mr. Ryan advising him that because the equipment being installed is a combination unit, the work must be performed by a licensed electrical contractor.

This matter will again be discussed by the Board to draft a "precedent setting interpretation".

Letter dated November 20, 2002, received from Mike Holt, NEC Consultant for EC&M Magazine, requesting that the Board allow New Jersey Licensed Electrical Contractors to receive CEU credits by attending a nationally approved NEC seminar. The contractor could then attend a one-hour law program provided by another NJ approved organization, or an attorney, as done in the past.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that Mr. Holt's request be denied. Pursuant to N.J.S.A. 45:5A-13.3(a) licensed electrical contractors are required to attend a 10 hour course of study relating to the most recent edition of the National Electrical Code, nine hours of which shall pertain to the code and one hour of which shall pertain to applicable State statutes and regulations.

The Board did not review and discuss Maryann Sheehan's draft of the rule concerning N.J.A.C. 13:31-4.2 testing, servicing, and repairing, of electrical equipment or apparatus.

This matter is being held in abeyance and will be discussed at the January 8, 2003, meeting.

The Board reviewed a memorandum dated November 14, 2002, received from Darlene Kane, Budget Analyst, Division of Consumer Affairs, stating that for the first quarter of Fiscal Year 2003, the board/committee was directly billed for 177.7 hours of Deputy Attorney General/Paralegal services totaling \$13,106.77.

The Board reviewed applications for the written examination to be administered by Experior Assessments, LLC. One (1) application was approved.

Motion made by Mrs. Gail Best and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that the Board go into Executive Closed Session to consider and to review consumer complaints, investigative reports and other information received pursuant to the Board's investigative authority in order to determine whether violations of the

law, including Board regulations have occurred. The results of the deliberations will be made known when and if the Board determines to initiate disciplinary action or other law enforcement action.

Meeting adjourned at 2:00 P.M.

A Business Meeting is scheduled for Wednesday, January 8, 2003, at 9:00 A.M. An Appointment Meeting is scheduled for Wednesday, January 22, 2003, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook
Executive Director